

UNITED STATE DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
JOHN J. BYRNES, JR.,

Plaintiff,

- against -

STEVEN BRESCIA, Mayor of the Village of
Montgomery, and LINDA CANTIELLO, ROBERT
"RABBIT" KIERNAN, DARLENE ANDOLSEK, and
JOANN SCHEELS, Constituting the Trustees of the
Village Board of the Village of Montgomery, Lt. JERRY
LOMANGINO of the Village of Montgomery Police
Department, and THE VILLAGE OF MONTGOMERY,

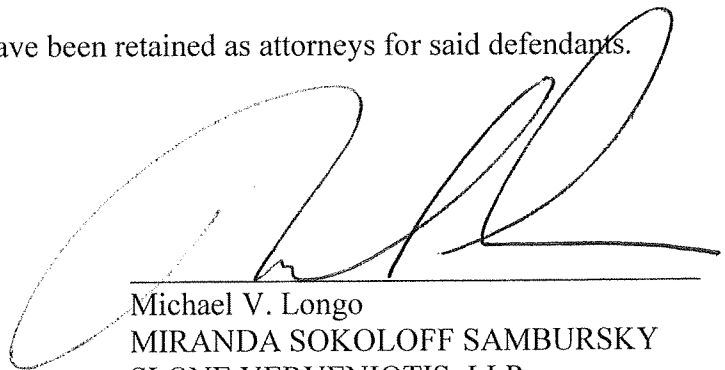
Defendants.
-----X

**NOTICE OF
APPEARANCE**

Index No.: 08 CV 0086

PLEASE TAKE NOTICE, that the defendants, STEVEN BRESCIA, Mayor of the
Village of Montgomery, and LINDA CANTIELLO, ROBERT "RABBIT" KIERNAN,
DARLENE ANDOLSEK, and JOANN SCHEELS, Constituting the Trustees of the Village
Board of the Village of Montgomery, Lt. JERRY LOMANGINO of the Village of Montgomery
Police Department, and THE VILLAGE OF MONTGOMERY, hereby appear in the above-
entitled action, and that the undersigned have been retained as attorneys for said defendants.

Dated: Elmsford, New York
February 1, 2008



Michael V. Longo
MIRANDA SOKOLOFF SAMBURSKY
SLONE VERVENIOTIS, LLP
Attorneys for Defendants
STEVEN BRESCIA, Mayor of the Village
of Montgomery, and LINDA CANTIELLO,
ROBERT "RABBIT" KIERNAN,
DARLENE ANDOLSEK, and JOANN
SCHEELS, Constituting the Trustees of the

Village Board of the Village of
Montgomery, Lt. JERRY LOMANGINO of
the Village of Montgomery Police
Department, and THE VILLAGE OF
MONTGOMERY
570 Taxter Road, Suite 561
Elmsford, NY 10523
(914) 345-6510
File No.: 08-032

To: Edward J. Carroll, Esq.
Attorney for Plaintiff
2733 Route 209
Kingston, New York 12401
(845) 338-5977

UNITED STATE DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
JOHN J. BYRNES, JR.,

Plaintiff,

- against -

**AFFIDAVIT OF
SERVICE**

Index No.: 08 CV 0086

STEVEN BRESCIA, Mayor of the Village of
Montgomery, and LINDA CANTIELLO, ROBERT
"RABBIT" KIERNAN, DARLENE ANDOLSEK, and
JOANN SCHEELS, Constituting the Trustees of the
Village Board of the Village of Montgomery, Lt. JERRY
LOMANGINO of the Village of Montgomery Police
Department, and THE VILLAGE OF MONTGOMERY,

Defendants
-----X

STATE OF NEW YORK)
)ss.:
COUNTY OF WESTCHESTER)

ANDREA BATTS, being duly sworn, deposes and says that she is over the age of 18 years, that she is not a party to the above-entitled action, and that on February 1, 2008 she served the within NOTICE OF APPEARANCE upon the following attorney(s), in the following place(s) and in the following manner:

Edward J. Carroll, Esq.
Attorney for Plaintiff
2733 Route 209
Kingston, New York 12401

the attorneys for the respective party(ies) in this action, at the above address(es) designated by said attorney(s) for that purpose by depositing the papers, enclosed in a properly addressed wrapper into the custody of an overnight delivery service for overnight delivery, prior to the latest time designated by the overnight delivery service for overnight delivery, addressed to the above address(es).



ANDREA BATTS

Sworn to before me
February 1, 2008


NOTARY PUBLIC

Richard S. Sklarin
Notary Public, State of New York
No. 02SK5054676
Qualified in Westchester County
Commission Expires January 22, 2010